GOVERNMENT OF INDIA
FINANCE
LOK SABHA

UNSTARRED QUESTION NO:3932
ANSWERED ON:09.12.2016
Tribunals to hear Appeals
Misra Shri Ajay (Teni)

Will the Minister of FINANCE be pleased to state:

(a) whether the Government has made an assessment on the relevance of the tribunals constituted for hearing appeals against the orders of Securities and Exchange Board of India (SEBI), Telecom Regulatory Authority of India (TRAI) and Competition Commission;
(b) if so, the details thereof and outcome thereon;
(c) whether the Government has taken this step taking into account that most of the companies appeal against the decision of the tribunals in the High Courts; and
(d) if so, the details thereof?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE
(SHRI ARJUN RAM MEGHWAL)

(a) to (d): Department of Legal Affairs (DLA), Ministry of Law & Justice has informed that in order to assess the relevance of the Tribunals for better governance a study was commissioned to Indian Law Institute (ILI). ILI in its report considered 36 Tribunals (Annexure) and after assessing the purpose, function and scope of these Tribunals, recommended that the number of these Tribunals can be reduced to 17. Further, an Inter-Ministerial Group (IMG) was constituted by DLA on 5th February, 2016. The IMG examined the merger/convergence of 36 Tribunals on three parameters of their (i) functional requirements; (ii) qualifications, and (iii) workload. The IMG has, inter alia, recommended to reduce the 36 Tribunals to 18 Tribunals and the DLA shall be the nodal Agency. Thereafter, a three phase Action Plan for the proposed Merger of Tribunals has been prepared in consultation with all the concerned administrative Ministries/Departments. A draft Note for the Cabinet has already been circulated to the concerned administrative Ministries/Departments of the Tribunals included in the first phase of Action Plan.
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Annexure
ANNEXURE REFERRED TO IN REPLY TO PARTS (a) TO (d) OF UNSTARRED QUESTION NO.3932 BY SHRI AJAY MISRA TENI TO BE ANSWERRED IN LOK SABHA ON 9.12.2016 REGARDING TRIBUNALS TO HEAR APPEALS AGAINST SEBI.
Sl. No. Name of the Tribunal Act of Parliament under which established
1 Airport Appellate Tribunal Airport Authority of India Act, 1994
2 Airport Economic Regulatory Authority Appellate Tribunal Airport Economic Regulatory Authority of India Act, 2008
3 Appellate Authority for Industrial and Financial Reconstruction Sick Industrial Companies (Special Provision) Act, 1985
4 Appellate Tribunal for Electricity Electricity Act, 2003
5 Appellate Tribunal for Foreign Exchange Foreign Exchange Management Act, 1999
6 Appellate Tribunal for Forfeited Property Narcotics Drug and Psychotropic Substances Act, 1985
7 Appellate Tribunal for Forfeiture of Property Smugglers and Foreign Exchange Manipulators (Forfeiture of Property) Act, 1976
8 Appellate Tribunal for Prevention of Money Laundering Prevention of Money Laundering Act, 2002
9 Armed Forces Tribunal Armed Forces Tribunal, Act 2007
10 Authority for Advance Rulings (Central Excise Customs and Services Tax) Customs Act, 1962
11 Authority for Advance Rulings (Income Tax) Income Tax Act, 1961 (S. 245 O)
12 Board for Industrial and Financial Reconstruction Sick Industrial Companies (Special Provision) Act, 1985
13 Cauvery Water Dispute Tribunal Article 262, Inter-State Water River Disputes Act, 1956
14 Central Administrative Tribunals Administrative Tribunals Act, 1985
15 Customs, Excise and Service Tax Appellate Tribunal Customs Act, 1962
16 Central Sales Tax Appellate Authority Central Sales Tax Act, 1956
17 Company Law Board (replaced by National Company Law Tribunal and National Company Law Appellate Tribunal) Companies Act, 2013
18 Competition Appellate Tribunal Competition Act, 2002
19 Cyber Appellate Tribunal Information Technology Act, 2000
20 Debt Recovery Appellate Tribunal The Recovery of Debt Due to Banks and Financial Institutions Act, 1993
21 Debt Recovery Tribunal The Recovery of Debt Due to Banks and Financial Institutions Act, 1993
22 Employees, Provident Funds Appellate Tribunal Employees Provident Funds and Miscellaneous Provisions Act, 1952
23 Film Certification Appellate Tribunal Cinematograph Act, 1952
24 Income Tax Appellate Tribunal Income Tax Act, 1961
25 Intellectual Property Appellate Tribunal Trade Marks Act, 1999
26 Krishna River Water Dispute Tribunal Article 262, Inter-State Water River Disputes Act, 1956
27 Mahadayi Water Dispute Tribunal Article 262, Inter-State Water River Disputes Act, 1956
28 National Consumer Disputes Redressal Commission Consumer Protection Act, 1986
29 National Green Tribunal National Green Tribunal Act, 2010

30 National Highways Tribunal Control of National Highways (Land & Traffic)Act, 2002
31 Railways Claims Tribunals Railways Claims Tribunal Act, 1987
32 Railway Rates Tribunals Railways Act, 1989
33 Ravi and Beas Water Dispute Tribunal Article 262, Inter-State Water River Disputes Act, 1956
34 Securities Appellate Tribunal Securities and Exchange Board of India Act, 1992
35 Telecom Disputes Settlement and Appellate Tribunals Telecom Regulatory Authority of India Act, 1997
36 Vansadhara River Water Dispute Tribunal Article 262, Inter-State Water River Disputes Act, 1956